

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: DUTIES UNDER CHAPTER 52 ARTICLE 1 OF THE WEST VIRGINIA CODE IN THE MATTER OF IN RE: TOBACCO LITIGATION (INDIVIDUAL PERSONAL INJURY CASES), (OHIO COUNTY CIVIL ACTION NO. 00-C-5000), CURRENTLY SET FOR JURY TRIAL IN THE CIRCUIT COURT OF KANAWHA COUNTY

WHEREAS, the Honorable Arthur M. Recht, Judge of the Circuit Court of Ohio County, is the presiding judge in the above-captioned matter, which is pending before the Mass Litigation Panel pursuant to W.Va. Trial Court Rule 26; and

WHEREAS, the Arthur M. Recht, Judge of the Circuit Court of Ohio County, as the presiding judge in the above-captioned matter, has duly scheduled the matter for jury trial in the Circuit Court of Kanawha County; and

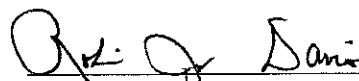
WHEREAS, by Orders entered December 17, 2009, the Honorable James C. Stucky, Chief Judge of the Circuit Court of Kanawha County, directed the circuit clerk to select six hundred fifty names of petit jurors in accordance with Trial Court Rule 7.03, and further directed the circuit clerk to process excusal of prospective petit jurors who provide requests for permanent excusal in writing for certain enumerated reasons; and

WHEREAS, in light of the size of the pool of prospective jurors, the time and expense associated with processing disqualifications and excusals, and the nature of this action, the administration of justice necessitates that the presiding judge in the mass litigation matter have sole authority to supervise the jury selection process under W.Va. Code § 52-1-1 *et seq.*; and

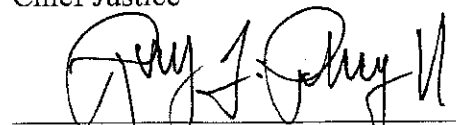
IT IS THEREFORE ORDERED that the Honorable Arthur M. Recht, Judge of the Circuit Court of Ohio County, has the sole authority to supervise the jury selection process, to disqualify a prospective juror from jury service, and to excuse jurors from juror service in the above-captioned case, all pursuant to W.Va. Code § 52-1-1 *et seq.*; and

IT IS FURTHER ORDERED that the Clerk of the Circuit Court of Kanawha County record this Order in the Office of said Clerk and that proceedings be held in the manner provided by law.

ENTERED: JANUARY th20 2010


ROBIN JEAN DAVIS
Chief Justice

Attest:


Rory L. Perry II, Clerk of Court